



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JCE
9/9/99

In re the application of: Katia Georgopoulos,
Bruce A. Morgan

Serial No.: 09/019,348

Filed: February 5, 1998

For: THE AIOLOS GENE

Attorney Docket No.: 10287/031001
(formerly MGP-042CP2)

Examiner: M. Lubet

Art Unit: 1644

Assistant Commissioner for Patents
Washington, D.C. 20231

Certificate of Mailing Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

August 20, 1999
Date of Signature and
of Mail Deposit

By Kelly Maw
Kelly Maw

RESPONSE TO RESTRICTION REQUIREMENT

RECEIVED

AUG 27 1999

Dear Sir:

TECH CENTER 1600/2900

In response to the Office Action mailed June 24, 1999, requiring an election of claims, Applicants elect Group XV, claims 18-28 and 42, drawn to methods of providing an antibody, with traverse.

Applicants believe that the Examiner's restriction of claims 29-42 (group XVI) from the elected claims of Group XV (claims 18-28 and 42) is unjustified. Both groups of claims are directed to methods of providing an antibody by providing a mammal having a cell which is Aiolos deregulated, e.g., Aiolos null or under expressing mutations at the Aiolos locus. As defined at page 40, lines 26-27 of the present application, an Aiolos "deregulated cell" is a "cell with mutant or misexpression of the Aiolos gene (e.g., inactivated Aiolos gene)." As such, it is clear that invention of claims 29-42 is not so distinct from the methods of claims 18-28 and 42 as to be considered a separate invention. Thus, Applicants elect group XV with traverse.

Conclusion

It is respectfully submitted that the claims are in condition for allowance. If a telephone conversation with Applicants' attorney would expedite the prosecution of the above-identified application, the examiner is urged to call Applicants' attorney at (617) 542-5070. Please apply any charges not covered, or any credits, to Deposit Account 06-1050.

Respectfully submitted,

Date:

19 Aug 99

Louis Myers, Reg. No. 35,965

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